

HAZELEY ACADEMY



Policy for the Management of Educational Visits

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Policy for the management of Educational Visits

Provision of Employer Guidance

The Hazeley Academy has formally adopted “Employer Guidance” as “The Hazeley Academy Employer Guidance”. This Educational visit guidance can be found on the following web site: www.oeapeg.info

It is a legal expectation that employees must work within the requirements their employer’s guidance; therefore, Hazeley Academy employees must follow the requirements of Employer Guidance,” as well as the requirements of this Policy Statement.

Hazeley Academy employees should also follow EG recommendations.

Where a Hazeley Academy employee commissions activity, they must ensure that such commissioned agent has systems and procedures in place where the standards are not less than those required by Employer Guidance.

Scope and Remit

The EG document “Basic Essentials MUST Read - Status and Remit” clarifies the range of employees whose work requires them to use the guidance. In summary, it applies to employees whose work involves any one of the following:

- direct supervision of young people undertaking experiences beyond the boundary of their normal operational base.
- direct supervision of young people undertaking experiences that fall within the remit of educational visits and Learning Outside the Classroom.
- facilitating experiences for young people undertaking experiences beyond the boundary of their normal operational base.
- deploying staff who will supervise or facilitate experiences of or for young people undertaking experiences beyond the boundary of their normal operational base.

This applies regardless of whether or not the activities take place within or outside of normal working hours, including weekends and holiday periods.

For a more expansive explanation of legal expectations, all users of the guidance are strongly recommended to read the EG document: “Underpinning Legal Framework.”

This Policy relates to the following Hazeley Academy policies (e.g., Health and Safety Policy, Employment, Insurance, etc.)

Ensuring Understanding of Basic Requirements

As an employer, The Hazeley Academy is required to ensure that its employees are provided with.

- appropriate guidance relating to visits and LOtC activity.
- employer-led training courses to support the guidance to ensure that it is understood.
- suitable systems and processes to ensure that those trained are kept updated.
- access to advice, support and further training from an appointed Adviser that has proven expertise and professional understanding of the guidance, the training and expectations set by current good practice.

The appropriate guidance for the management of outdoor learning and LOtC in The Hazeley Academy is the Employer Guidance web site www.oeapeg.info

The relevant training courses for The Hazeley Academy are:

1. The Hazeley Academy Educational Visit Coordinator (EVC) Training - The Hazeley Academy establishment is required to have a current, trained EVC in post.
2. The Hazeley Academy Educational Visit Coordinator (EVC) Revalidation - all Hazeley Academy EVCs are required to undertake a formal revalidation from time to time.
3. Visit Leader Training – this course is strongly recommended for all those who lead visits and off-site activities.

Where an employee experiences problems with finding the material, they are looking for, or require clarification or further help and guidance, they should contact their establishment's Educational Visits Coordinator (EVC), or the Outdoor Education Adviser

The advisor for the academy is Ruth Hawker
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Approval and Notification of Activities and Visits

Employer guidance must provide clarity on issues where responsibilities and functions are delegated. This is particularly critical in establishing requirements regarding formal notification and formal approval of activities.

The Hazeley Academy uses an online system for notification and approval called Plumsum. It is a requirement that The Hazeley Academy use the Plumsum system; for further advice and help using the system, the establishment should contact the External Visits Coordinator.

All visits are the responsibility for the Academy to approve and the Outdoor Education Adviser will review the approved plans, and add a third approval, that the visit meets the standards expected for

planning and appropriate standards. This runs in the current format via Plumsum and will include Duke of Edinburgh expeditions.

Risk Management

As an employer, The Hazeley Academy has a legal duty to ensure that risks are managed - requiring them to be reduced to an “acceptable” or “tolerable” level - and not to eliminate risks, as would be a reasonable expectation when risk assessing a piece of machinery, workshop or manufacturing process. This requires that proportional (suitable and sufficient) risk management systems are in place, requiring The Hazeley Academy to provide such support, training and resources to its employees as is necessary to implement this policy.

The risk management of an activity should be informed by the benefits to be gained from participating. The Hazeley Academy strongly recommends a “Risk-Benefit Assessment” approach, whereby the starting point for any risk assessment should be a consideration of the targeted benefits and learning outcomes. This appreciation of the benefits to be gained through participating provides objectivity to a decision that any residual risk (i.e., the risk remaining after control measures has been put in place) is “acceptable”. HSE endorse this approach through their “Principles of Sensible Risk Management” and advocate that it is important that young people are exposed to well-managed risks so that they learn how to manage risk for themselves.

There is no legal or Hazeley Academy requirement to produce a risk assessment in a particular format; but there is a legal requirement for the process to be recorded and for suitable and sufficient control measures to be identified for any significant risks i.e., those that may cause serious harm to an individual, or harm several people.

Refer to EG document: “Risk Management.”

Emergency Planning and Critical Incident Support

A critical incident is an incident where any member of a group undertaking an off-site activity has:

- either suffered a life-threatening injury or fatality.
- is at serious risk.
- or has gone missing for a significant and unacceptable period.

As an employer, The Hazeley Academy is committed to providing emergency planning procedures to support establishments in the event of a critical incident.

Refer to EG document: “Critical Incident Management for Visits.”

To activate support from The Hazeley Academy, the following telephone numbers should be used:

Name	Position	Contact no 1	Contact no 2
G. Attard	EVC	School 01908555620	07563 800157
T. Whiteman	Head of School	School 01908 555620	07900 493565
R. Hawker	Plumsum- Outdoor Education advisor	07885 909761	0845 8622684
Milton Keynes Council	01908 311773		

Monitoring

As an employer, The Hazeley Academy ensures that there is sample monitoring of the visits and LOTC activities undertaken by its staff. Such monitoring should be in keeping with the recommendations of Employer Guidance. There is a clear expectation that the monitoring function is a delegated task, principally carried out through systems put in place by the EVC.

Refer to EG document: "Monitoring" Draft Policy for Academies

Assessment of Leader Competence

Employer Guidance provides clear advice regarding the assessment of leader competence. It is an expectation of The Hazeley Academy Policy that all leaders and assistants have been formally assessed as competent to undertake such responsibilities as they have been assigned in line with the EG guidance. Staff should maintain their training and qualifications and a central staff list of training will be maintained at Hazeley in the Trips folder.

Refer to EG document: "Assessment of Competence."

Role-specific Requirements and Recommendations

Employer Guidance sets out clear and detailed responsibilities and functions of specific roles that relate to roles to be found within The Hazeley Academy management structures. These are:

- **Board of Directors (Employers)**
- **Principal**
- **EVC**

Refer to individual EG documents headed as above.

Employer Guidance sets out clear and detailed responsibilities and functions of specific roles that relate to roles to be found the establishment. These are:

1. Member of Board of Governors or Management Board
2. Principal
3. EVC
4. Visit or Activity Leader
5. Assistant Visitleader
6. Volunteer Adult Helper
7. Parents

Refer to individual EG documents headed as above.

Charges for Off-site Activities and Visits

Hazeley Academy Heads/Managers, Curriculum Planners, EVCs and Visit/Activity Leaders must take account of the legal framework relating to charging, voluntary contributions and remissions as set out in sections 449 to 462 of the Education Act 1996.

Refer to EG document: Charges for Off-site Activities and Visits in an Educational Establishment

Vetting and CRB Checks

Hazeley Academy employees who work frequently or intensively with or have regular access to young people or vulnerable adults, must undergo an enhanced CRB check as part of their recruitment process. For the purposes of this guidance:

- *frequently* is defined as "once a week or more".
- *intensively* is defined as 4 days or more in a month or overnight.

However, it must be clearly understood that a CRB check (or other vetting procedure) in itself, is no guarantee as to the suitability of an adult to work with any given group of young or vulnerable people.

The placement of an adult within a situation of professional trust (where young people could be vulnerable to physical or mental exploitation or grooming) should always be on the understanding that an overview based on a commonsense risk-benefit assessment process has been considered.

Refer to EG document: "***Vetting and CRB Checks.***"

Requirement to Ensure Effective Supervision

In general terms, the Law does not prescribe activity-specific staffing ratios; but it does require that the level of supervision and group management is "effective".

Effective supervision should be determined by proper consideration of:

- Staff Competence
- Activity - nature and location of the activity (including the type of activity, duration, skill levels involved)
- Group - age (including the developmental age) of the group; ability of the group (including special learning needs, behavioral, medical and vulnerability characteristics etc.).
- Environment - nature and location of the activity (including the type of activity, duration, skill levels involved, as well as the time of year and prevailing conditions,
- Distance away from the base

However, as an exception to the above, Ofsted and DfE guidance prescribe ratios for Early Years.

Refer to EG document: *"Ratios and Effective Supervision."*

Refer to EG document: *"Group management and Supervision."*

Preliminary Visits and Provider Assurances

All visits should be thoroughly researched to establish the suitability of the venue and to check that facilities and third-party provision will meet group expectations. Such information gathering is essential in assessing the requirements for effective supervision of young people. It is a vital dimension of risk management.

Wherever reasonably practicable, it is good practice to carry out a preliminary visit. This policy should clarify the circumstances where a preliminary visit is a requirement.

Options for consideration for decision.

1. Pre-visit required for visits where there is a high complexity factor, and the visit has not happened previously.
2. Additionally required when the visit is solely led by Academy staff.

Residentials, visits abroad, exchange visits, adventure led by Academy staff all have aspects of complexity.

If the visit is led and managed by a provider, then a variety of approaches can reduce the need to pre visit.

It is good practice for Visit Leaders to take full advantage of the nationally accredited, provider assurance schemes that are now available, thus reducing bureaucracy.

Examples of such schemes include:

- The LOTC Quality Badge
- AALS licensing
- Adventure mark
- NGB centre approval schemes (applicable where the provision is a single, specialist activity).

The Hazeley Academy takes the view that where a provider holds such one of the above accreditations, there should be no need to seek further assurances.

Refer to: EG document *"Preliminary Visits and provider Assurances."*

Insurance for Off-site Activities and Visits

Employer's Liability Insurance is a statutory requirement, and The Hazeley Academy holds a policy that indemnifies it against all claims for compensation for bodily injury suffered by any person employed by it. This cover should extend to those persons who are acting in a voluntary capacity as assistant supervisors. The Hazeley Academy also holds Public Liability insurance, indemnifying it against all claims for compensation for bodily injury from persons not in its employ, as well as for the accidental loss of, or damage caused to, property. Employees (as agents of the employer) are indemnified against all such claims, as are voluntary helpers acting under the direction of the employer's staff. The indemnity covers activities such as off-site activities and visits organised by all establishments and settings for which the employer is responsible.

Some level of Personal Accident Insurance is provided for all Hazeley Academy employees in the course of their employment, providing predetermined benefits in the event of an accident. However, Visit/ Activity Leaders should be advised that they should consider taking out less limited personal accident cover privately or obtain cover through a professional association.

The Hazeley Academy should contact the Insurers to seek clarification of the above, including any circumstances requiring early notification of specialist activities to the insurer. They should also ensure they have obtained current information regarding any special policies that may be available to offer more comprehensive cover.

Refer to EG document: *"Insurance."*

Inclusion

Every effort should be made to ensure that outdoor learning activities and visits are available and accessible to all, irrespective of special educational or medical needs, ethnic origin, gender or religion. If a visit needs to cater for young people with special needs, every reasonable effort should be made to find a venue that is both suitable and accessible and that enables the whole group to participate fully and be actively involved.

Establishments should take all reasonably practicable measures to include all young people. The principles of inclusion should be promoted and addressed for all visits and reflected in establishment policy, thus ensuring an aspiration towards:

- an entitlement to participate.
- accessibility through direct or realistic adaptation or modification
- integration through participation with peers

Employers, Heads/Managers, Curriculum Planners, EVCs and Visit Leaders should be aware of the extent to which Inclusion is or is not a legal issue.

Under the Disability Discrimination Act 1995, it is unlawful to:

- treat a disabled young person less favorably.
- fail to take reasonable steps to ensure that disabled persons are not placed at a substantial disadvantage without justification.

Refer to EG document: "Inclusion as a Legal Issue."

Good Practice Requirements

To be deemed competent, a Hazeley Academy Visit / Activity Leader, or Assistant Leader must be able to demonstrate the ability to operate to the current standards of recognized good practice for that role.

All staff and helpers must be competent to carry out their defined roles and responsibilities. Employer Guidance sets a clear standard to which Hazeley Academy leaders must work. The guidance states:

"a competent Visit /Activity Leader (or an Assistant Leader where they may take sole responsibility for a sub-group) requires:

- Knowledge and understanding of their employer's guidance supported by establishment- led training.
- Knowledge and understanding of establishment procedures supported by a structured induction process specified by the establishment.
- Knowledge and understanding of the staff, the activity, the group and the venue.
- Appropriate experience
- In some circumstances (e.g., First aid, adventurous activities) a formally accredited qualification."

Staff participating in off-site activities and visits must be aware of the extent of their duty of care and should only be given such responsibilities as are in keeping with the above guidance. It is particularly important that careful consideration of competence issues is applied to both newly qualified and newly appointed staff. The EVC should view the original documents and certificates when verifying leader's qualifications, and not rely on photocopies.

Where a Volunteer Helper is a parent (or otherwise in a close relationship to of a young person taking part in the visit) they should be made aware of the potential for their relationship to compromise the Visit Leader's plans for group management. The Visit Leader should directly address this issue as part of the Risk-Benefit assessment.

Refer to EG document: "Good Practice Basics"

Transport

Option – Minibuses Policy – Minibus policy can be found on the academy website.

Careful thought must be given to planning transport to support off-site activities and visits. Statistics demonstrate that it is much more dangerous to travel to an activity than to engage in it and establishments must follow the specialist guidance provided in the Hazeley Academy transport policy. All national and local regulatory requirements must be followed.

The level of supervision necessary should be considered as part of the risk management process when planning the journey, considering issues of driver-distraction when considering what supervision is required for the specific group of passengers being transported in a minibus.

The Visit Leader should ensure that coaches and buses are hired from a reputable company.

Transporting young people in private cars requires careful consideration. Where this occurs, there should be recorded procedures.

Refer to LOtC EG document: "Transport: General Considerations."

Refer to LOtC EG document: "Transport in Minibuses."

Refer to LOtC EG document: "Transport in Private Cars."

Planning

Planning should reflect the consideration of legal and good practice requirements, ensuring:

- The plan is based on establishment procedures and employer guidance.
 - All staff (including any adult volunteer helpers) and the young people to be involved, have a clear understanding of their roles and responsibilities, including their role in the risk management process.
 - Those in a position of parental authority have been fully informed and, where appropriate, formal consents have been obtained.
 - Proportionate assurances have been obtained from any providers (making full use of national schemes that accredit that assurances have already been obtained by credible inspection regimes).
 - Designated emergency contact(s) have been identified that will work on a 24/7 basis where required.
 - All details of the activity provision are accessible to the emergency contact throughout the period of the activity.
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It is strongly recommended that at a very early stage of the planning process, the provisional staffing team carry out a brainstorming exercise in order to identify the benefits and learning outcomes that the activity (or range of activities) might achieve. If the outcomes are to be evaluated with any rigor (an Ofsted expectation), then it will be essential that these outcomes are prioritised, and appropriately targeted. A record of these outcomes will help keep the plan focused and be a vital part of the risk management process in providing some objectivity in a "Risk Benefit Analysis". Once the targeted outcomes have been recorded, it will then be possible to identify appropriate on-going review and evaluation strategies, including indicators.

To reduce bureaucracy and encourage activity, establishments need to take account of the legalities regarding a requirement for formal consent. When an activity is part of a planned curriculum in normal curriculum time and no parental contributions are requested, then a formal consent is not necessary. However, in the interests of good relations between the establishment and the home, it is good practice to ensure that those in a position of parental responsibility are fully informed.

This supports the move towards developing activity-specific policies at establishment level for regular or routine activities. Such policies should be robust and equate to "operational guidance" that makes it clear how the activity should be planned and delivered, meeting all necessary recommendations and requirements, as well as assuring educational quality.

The degree of complexity of a particular plan or policy (along with its supporting procedures) will need to reflect the nature and complexity of several variables that can impact on any given activity. These variables can be remembered as "SAGED" as explained below.

- Staffing requirements – trained? experienced? competent? ratios?
- Activity characteristics – specialist? insurance issues? licensable?
- Group characteristics – prior experience? ability? behavior? special and medical needs?
- Draft Policy for Academies
- Environmental conditions – like last time? impact of weather? water levels?
- Distance from support mechanisms in place at the home base – transport? residential?

Refer to EG document: "***Planning Basics.***"

Appendix 1 Duke of Edinburgh Standards for Leadership

Northamptonshire's County Council's standards for D of E training and assessed expeditions are held on Plumsum and need to be followed by D of E groups working under the Plumsum License agreement.

Appendix 2 Minibus Driving

In April 2006, the Department for Education and Skills (DfES) published its policy statement entitled "Licensing for Incidental Drivers of the School Minibus." This states that teachers or other school staff are mostly exempt from having to hold a D1 PCV driving license to drive the school minibus because they are not being paid specifically to drive, i.e., driving is not mentioned in their contract of employment.

For the exemption to apply, the following conditions from section 7(6) of the Motor Vehicles (Driving Licenses) Regulations 1999 must be met:

- drivers are aged 21 years or over
- they have held their category B driving license for at least 2 years
- the minibus is being used by a non-commercial body for social purposes, but not for hire or reward
- drivers are not being paid to drive the minibus, other than out-of-pocket expenses
- the minibus does not exceed 3.5 tonnes (or 4.25 tonnes if specialised equipment for the carriage of disabled passengers is included)
- no trailer is towed.

The Academy will adopt this advice and procedures are detailed below.

Minibus drivers will either hold a D1 PCV license or meet the requirements above. All drivers will undertake specific training, which is defined as the MIDAS 1 day training course.

DfE Statement April 2006

Licensing Incidental Drivers of the School Minibus

This Statement updates Chapter 6 "Planning Transport" in Health and Safety of Pupils on Educational Visits (DfES 1998, supplemented 2002.)

Summary. In most circumstances, minibus drivers must hold a D1 PCV (Passenger Carrying Vehicle) license. However, school staff who hold a car (Class B) license can legally drive a school minibus without a D1 PCV license if certain conditions are met. The most significant requirement is that staff are not specifically remunerated for driving through their contract of employment or otherwise. The other conditions are set out and explained later in this Statement.

It would, nonetheless, be bad practice for school staff to drive the minibus solely on the basis that they have held a Class B license for 2 years. There are a range of options for further training, including the D1 PCV license and other courses established by employers and others to secure a high level of competence for

incidental minibus drivers. The statutory risk assessment process should help an employer choose which good practice option is most appropriate.

The exemption is only for a minibus weighing no more than 3.5 tonnes. In the medium term, when a school replaces its minibus, it is likely to lose exemption because newer minibuses tend to weigh more than 3.5 tonnes, and the Government has no plans to change the weight limit on the exemption. Therefore, we advise schools to consider investing in D1 PCV training over the next few years, since the law will require it in the longer term, if or when they move to a heavier minibus.

1. Car driver licenses issued before 1997 carried an entitlement to drive a minibus not for hire or reward. Car driver licenses issued since then (B category) do not. A category B license-holder driving a minibus must now also hold a D1 Passenger Carrying Vehicle license (D1 PCV), unless they meet conditions for exemption which are:

- the driver is 21 or over and has held a car driver (B) license for not less than 2 years.
 - the vehicle is being used by a non-commercial body for social purposes but not for hire or reward;
- and
- the minibus driver receives no consideration for driving other than out of pocket expenses.

2. It follows that car drivers are exempt from the D1 PCV licensing requirement when they drive a minibus in the course of their employment and are not paid for doing so. This means that most teachers and other school staff may legally drive the school minibus on their category B car driver license because their contract of employment does not expressly require them to drive a PCV. See also paragraph 7.

3. Some independent schools which lack charitable status could be viewed as commercial bodies and we advise such schools to seek their own legal advice. There are also restrictions on the minibus weight and on towing a trailer – details available at the DVLA website as below.

Good Practice Options

4. Education employers must ensure, so far as is reasonably practicable, the health and safety of staff and anyone else who may be affected by their activities, including students participating in off-site visits. Advanced driver training mitigates the risks to staff and students when school staff drive in the course of their work. Acquiring the D1 PCV license is a good practice option. For exempted staff, but there are other options, for example MiDAS (Minibus Driver Awareness Scheme) certificates, awarded on a 4-yearly cycle of training and assessment. The Department for Education and Skills understands there are other training arrangements provided by the Royal Society for the Prevention of Accidents (RoSPA) and that individual local authorities have their own in-house training and assessment schemes. Local authorities and other education employers could consider such training/assessment programmes as these. Chapter 1 of Health and Safety of Pupils on Educational Visits (DfES) sets out the legal requirement about risk management.

Non-Exemption

1. The exemption does not apply where a driver's employment contract expressly states that driving a PCV vehicle is part of the job. Employers of, for example, support staff hired as drivers, or of instructors at outdoor education centres, should check the contracts of these categories of staff carefully before concluding whether or not a D1 PCV licence is required. Employers of part-time teachers working extra hours and being paid additionally for driving a PCV should also check their contract(s) to establish whether a D1 PCV qualification is needed.
2. The exemption does not apply where a minibus exceeds 3.5 tonnes or where a trailer is attached.

Out-of-Hours Driving

1. There are several other situations in which the exemption does not apply. These include:
 - driving in other European Member States.
 - driving in the UK during out-of-hours-situations (for example, during school holidays) where students or parents have to pay for carriage (unless the bus has a section 19 permit allowing not for profit charging).
 - when a teacher is being remunerated under the Teachers' Pay and Conditions Document for driving the minibus on an out-of-school-hours learning activity.

Hire or Reward

2. Where passengers pay for transport, in most cases the driver must hold a D1 PCV license. The exemption from the D1 PCV requirement applies where the vehicle is used for a non-commercial purpose, for example by a maintained school, and where the students are carried not for hire or reward - that is, where students are not obliged to pay in exchange for the right to be passengers. It can be argued that independent schools are non-commercial bodies for this purpose. In such schools the minibus is not generally used for a passenger service on a commercial basis but rather to take students off-site for curricular purposes. Charitable status assists this argument. Schools who admit students on a fee-paying basis may wish to take their own legal advice.

Permits issued under Section 19 of the Transport Act 1985

3. If, however, the school offers the minibus to students for a charge but on a non-profit basis under a section 19 bus permit then the driver is exempt from the D1 PCV requirement. This is because the section 19 permit exempts the employer from holding a PSV operator license and exempts the driver from the D1 PCV requirement.

Other Guidelines & Further Details

4. The Department for Transport is publishing its own guidance for incidental drivers of minibuses, which addresses the generality of PCV driving situations. It focuses on the PCV test.
– both as a legal requirement and as the good practice option for exempted drivers – and does not discuss

the wider range of good practice options available for school staff. The Driver and Vehicles Licensing Agency provides advice (0870 240 009 or <http://www.dvla.gov.uk/drivers/drvmibus.htm>) on D1 PCV or section 19 requirements, and the Driving Standards Agency (0115 901 2500) on the PCV test. Schools and local authorities can 'shop around' the PCV training providers; anyone who has had a D1 license for three years can be an instructor for the PCV test; and there is no requirement to attend a full-time course. For details of other training/assessment contact, for example, RoSPA at www.rospace.com or MiDAS at <http://www.communitytransport.com/midas/midas.htm> Local authorities and schools may wish to discuss exemption from holding a D1 PCV license with their insurer. They may also wish to bring this Statement to the attention of other local agencies including the police.

Certificate of Professional Competence.

1. From September 2008 all new professional bus drivers must also pass an initial qualification to obtain a Certificate of Professional Competence (CPC) ii. This will be on top of the D1 requirement though it is likely that the training for the acquisition of a D1 license could be combined with the initial qualification CPC training. All professional bus drivers will have to take periodic retraining on a five-yearly cycle. The Driving Standards Agency consulted to February 2006 on the regulations that will implement this requirement in the UK. Most school staff, whether they hold a D1 PCV license or not, will be exempt from this requirement. This is because the regulations will exempt drivers of vehicles used for the non-commercial carriage of passengers.

Relevance of this Policy Statement

2. This Statement is also relevant to non-school drivers who drive minibuses for non-commercial purposes incidentally in the course of their employment (for example in childcare or in colleges of further education) or in volunteering activity.
3. The text of this Statement replaces:

- paragraph 134 of the DfES guidance, Health and Safety of Pupils on Educational Visits (<http://www.teachernet.gov.uk/wholeschool/healthandsafety/visits/>)

The Royal Society for the Prevention of Accidents is amending paragraphs 3.6.3 – 3.6.5 of Minibus Safety: A Code of Practice 2002 (RoSPA and others).

DfES April 2006.

- Directive 1991/439/EEC ('the 1991 Directive') sets out a harmonised system of driving licenses throughout the European Union. It is implemented in the UK by section 18 of the Transport Act 1985 and two sets of regulations. These are the Minibus and Other Section 19 Permit Buses Regulations 1987 and the Motor Vehicles (Driving Licenses) Regulations 1999.
- Directive 2003/59/EC of 15 July 2003 ('the 2003 Directive') imposes qualification and training.

requirements (Certificate of Professional Competence) on drivers of certain types of vehicles including vehicles for which a D1 PCV licence is normally required. In the UK, the 2003 Directive will take effect on professional bus drivers by September 2008 and lorry drivers by September 2009